



OWENS PERKINS

#### Areas of Practice

Family Law  
Business Law  
Contract Law  
Civil Litigation  
Estate Planning  
Probate  
Guardianship  
Criminal & DUI  
Real Estate Law

#### Family Law

OWENS & PERKINS offers a full range of legal advice for all aspects of family law such as divorce, spousal maintenance, child custody, child support, domestic partnerships and paternity matters.

#### Attorney Spotlight

##### Max N. Hanson

Graduated from ASU College of Law and received the Dean's Award for services to the law school. Max's areas of practice include Family Law, Criminal Law, and Construction Litigation.



## Divorced and Moving On With Your Life – Literally?

### Custody and Parenting Time Issues with Relocation

Sometimes by choice and other times by necessity, many people are moving these days and relocating their families to another area of the Valley, other states, or sometimes even other parts of the world. After the upheaval of a painful divorce or breakup of a relationship, some people feel like the best thing for themselves and their children is a fresh start in a new place.

If you are planning to move with your children, and even if you have sole legal custody, under Arizona law you are required to give the other parent notice, in writing, sixty (60) days prior to the anticipated move date. If you are looking to relocate within a



shorter time frame, you may need to obtain the written consent of the other parent or push for early Court intervention, even if the relocation is necessary for your employment.

The non-moving parent can object to your relocation with the children by filing an action with the Court. The Court looks at what is "in the best interests of the children," not you. It will look at such things as: (1) whether the proposed move is being made in good faith, or whether it is being used simply to put distance between the children and the other parent; (2) the quality of life improvements, financially and otherwise, for both the child and custodial parent; and (3) how the move will affect the children not only emotionally and developmentally, but in the children's relationship with the non-moving parent.

Based on my years of experience in these cases, the moving parent will need to have a concrete and specific plan with actual income and cost estimates, addresses, and contact information for employment, housing, childcare, schools, etc. in the new location. The more concrete your plan for relocation is, the better your chances are that the Court will allow the move over the other parent's objection.

If you are planning to relocate with your children and have questions about the laws and requirements, please give us a call at 480.994.8824 to schedule a consultation.